

EXHIBIT D

## Hans Herb

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**To:** Hans Herb  
**Subject:** Emailing: Pinoleville.Org



## Historical and Cultural

information of the Pinoleville people.

- History of the Pinoleville Band
- The History of California Rancherias
- The Pinoleville Levee
- The Pinoleville Creek
- The Big Time Gathering
- Cultural Artifacts and Documentation

If you're interested in sharing your insight about the history of the tribe, and the Pomo Nation in general, feel free to contact us. Also, if you know of specific web sites with related historical information, please e-mail the Web administrator.

### History of the Pinoleville Band

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The Pinoleville Band of Pomo Indians of the Pinoleville Indian Reservation is a federally recognized Tribal Government, located north of the City of Ukiah, Mendocino County, California. The Pinoleville Indian Reservation was established in 1911, pursuant to Congressional legislation passed in 1906 and 1908 that authorized the acquisition of land for Indians who were not then upon reservations in the State (California). Such Indians had occupied the northern Ukiah Valley until they were dispossessed by non-Indians, beginning in the 1850's. The size of the reservation is 99.53 acres. The Tribe has a membership of approximately 280 members.

On February 16, 1966, the Tribe was terminated under the terms of the California Rancheria Termination Act. During the period of termination, the Tribe lost 50% of the land base that once comprised the reservation. In 1979, the Tribe was a member of the class action suit, Tillie Hardwick vs. United States [<http://sorrel.humboldt.edu/~nasp/hardwick.html>], which was filed in district court to restore the Tribe as a Federally recognized Tribe and to re-establish its Tribal government and its jurisdiction over the reservation.

On December 22, 1983, as a result of this suit, a judgment was entered against the United States restoring federal recognition to the reservation and its Tribal government. The judgment also allowed for individual Indian property owners to return their property to Federal trust status. The effect of this judgment to the Tribe was to "unterminate" the Tribe. Subsequent judgments against Mendocino County and the United States, in 1985 and 1986, respectively, restored the entire exterior boundaries of the reservation as they existed prior to the purported termination of the Tribe. The land regained the classification of "Indian Country," subject to the primary jurisdiction



of the Tribal and Federal governments.

Now that the termination of the Tribe has been reversed, the Tribe has entered into a crucial phase with respect to its future. The Tribe has made great efforts to establish a sound governance / administrative base. These efforts have been a difficult undertaking, since adequate training for Tribal officials and staff in the complex areas of Federal Indian law and policy was greatly lacking. But the circumstances bring to bear the determination of the Tribal membership to re-establish the Tribe as a sovereign Tribal government. It is this determination that will drive the Tribe to the accomplishment of this goal.

The impacts of the termination period upon the environmental quality of the reservation are still present. Since its re-recognition, the Tribe seeks to retain the rural residential character of the reservation. At present, the County of Mendocino has zoned the reservation as "Industrial." The resulting development pattern places potentially hazardous land uses adjacent to residential and agricultural uses, as well as a riparian zone. Within the reservation boundaries, a number of industrial uses are presently operating. Such industrial uses include an automobile wrecking yard, a vacant concrete and asphalt batch plant, and a welding shop. These uses have the potential to introduce hazardous and toxic wastes into the surrounding environment. Further, these uses have developed adjacent to residential and agricultural uses, as well as adjacent to Ackerman Creek, which forms the northern boundary of the Reservation. The potential for spills or groundwater penetration of hazardous and toxic wastes is greatly increased by the fact that these uses have developed close to the creek. Separating these uses and the creek is an ill-maintained levee, which was constructed in the 1940's using wrecked automobiles set end-to-end and covered by soil and gravel.

Images of the levee and the creek can be seen [here](#).

Today, the Tribe is making great strides in establishing a sound governance / administrative base. This base includes a recently adopted Tribal Constitution, an Enrollment Ordinance, an Election Ordinance, a Tribal Action Plan, and a Tribal Governance Operations Manual. In the environmental sphere, work is presently continuing on establishing a General Land Use Plan and a comprehensive Zoning Ordinance.

Administrative capacity and administrative skills are absolutely essential if the Tribe is to realize the level of development it seeks to achieve, and to ultimately reverse the disastrous effects of the federal termination policies of the past.

[Return to table of contents](#)

## The History of California Rancherias

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American Indian Tribes and reservations are synonymous with each other in most of the United States. In California it is a different story.

Between 1851 and 1852, 18 treaties were negotiated between the United States Government and more than 100 California Indian Tribes and Bands. The treaties called for reservations of more than eight million acres for the tribes. However, on July 8, 1952, the U.S. Senate secretly rejected the treaties and from 1852 to 1854 Indian Tribes were forcibly removed to temporary reservations.



In the early 1900s a researcher discovered the unratified treaties and reformers petitioned Congress to appropriate money to provide land for the homeless Native Americans of California. Congress appropriated the money to purchase 9,000 acres of land that became 50 separate Rancherias. Originally the small pieces of land or ranches were intended to provide housing for homeless and landless adult Indians. It was not intended to be reservations for separate tribal governments. Instead of getting their own reservations, some Indian Nations were splintered into tiny postage stamp bands that lumped together Indians from different tribes. Despite the obvious obstacles, many of the Rancherias, as they came to be known, petitioned for federal recognition.

In 1953, the California Rancheria Act called for the termination of federal trusteeship for Indians in California. During this period, 38 tribes were terminated in California and tribal members were encouraged to sign away their official status in efforts to assimilate Indians into "mainstream" society.

The Indian Self Determination and Education Act of 1973 allowed tribes and rancherias to regain federal recognition and today 104 tribes are recognized in California with over 50% being Rancherias. Self Governance, along with economic and gaming opportunities, have helped the California Native Americans regain their sovereignty

[Return to table of contents](#)

## The Pinoleville Levee

! Note. Pictures are actually larger than shown, and can be enlarged with a 'right click' and save/view.



Here can be seen part of the levee. The levee was built in the 1950s in order to take care of the rising waters of the creek during the winter and the runoff from a road overpass. The Tribal members sunk old automobiles tied together by a cable to make the levee.



Here is a better view of the old automobiles. It is not known if the automobiles were completely drained of fluids before they were used for the levee.



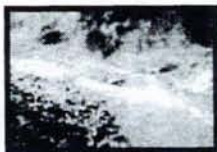
Finally, a good view of one of the automobiles. This creek is a natural scenic creek and a spawning route for salmon and steelhead trout. The Tribe is working to remove this environmental problem to help preserve this natural wonder. Unfortunately, beyond this problem the creek and its inhabitants also face the threat of overuse and rerouting of water pathways by local vineyards.

[Return to table of contents](#)

## The Pinoleville Creek

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The creek runs from the mountains all the way to the Pacific Ocean. It is one of the few remaining natural creeks in the area. It is also a natural habitat for salmon who swim upstream each year when possible (when the stream has not been severely depleted by nontribal business interests)

[Return to table of contents](#)

## The Big Time Gathering

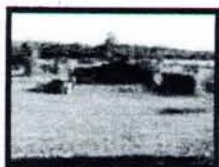
Note: Pictures are actually larger than shown, and can be enlarged with a 'right click' and save/view.

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Each year the Tribe holds the Big Time gathering in July on the reservation. The Big Time Gathering is similar to what many people know as a Pow Wow where the Tribe comes together to celebrate.



An overview of the reserve, where the Big Time gathering is held.



An eye level view of the area.

*END*